

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONAVAN BALLESTEROS-
PAKOOTAS,

Defendant.

2:24-CR-0087-TOR-1

PROTECTIVE ORDER FOR
MINORS IDENTIFYING
INFORMATION AND IN
COMPLIANCE WITH 18 U.S.C.
§ 3509(d)

BEFORE THE COURT is the United States' Motion for a Protective Order Re
Minors' Identifying Information, ECF No. 20.

IT IS HEREBY ORDERED that the Government's Motion for a Protective Order
re Minors' Identifying Information, ECF No. 20, is **GRANTED**.

IT IS FURTHER ORDERED that the privacy protection measures mandated by
18 U.S.C. § 3509(d), when a case involves a person under the age of eighteen years who
is alleged to be a victim of a crime of sexual exploitation, or a witness to a crime
committed against another person, apply to this case, thus;

1 IT IS FURTHER ORDERED that all persons acting in this case in a capacity
2 described in 18 U.S.C. § 3509(d)(1)(B), shall follow and abide by the privacy
3 protections of 18 U.S.C. § 3509(d)(1) and (2) as follows:
4

5 (1) Confidentiality of information.

6 (A) A person acting in a capacity described in subparagraph (B) in
7 connection with a criminal proceeding shall—

8 (i) keep all documents that disclose the name or any other
9 information concerning a child in a secure place to which no person
10 who does not have reason to know their contents has access; and

11 (ii) disclose documents described in clause (i) or the information in
12 them that concerns a child only to persons who, by reason of their
13 participation in the proceeding, have reason to know such
14 information.

15 (B) Subparagraph (A) applies to—

16 (i) all employees of the Government connected with the case,
17 including employees of the Department of Justice, any law
18 enforcement agency involved in the case, and any person hired by the
19 Government to provide assistance in the proceeding;

20 (ii) employees of the court;

21 (iii) the defendant and employees of the defendant, including the
22 attorney for the defendant and persons hired by the defendant or the
23 attorney for the defendant to provide assistance in the proceeding;
24 and

25 (iv) members of the jury.

26 (2) Filing under seal. All papers to be filed in court that disclose the name of or
27 any other information concerning a child shall be filed under seal without
28 necessity of obtaining a court order. The person who makes the filing shall
submit to the clerk of the court—

(A) the complete paper to be kept under seal; and

(B) the paper with the portions of it that disclose the name of or other
information concerning a child redacted, to be placed in the public
record.

1 IT IS FURTHER ORDERED that counsel shall remind all persons
2 providing assistance on this case of these obligations.

3
4 IT IS FURTHER ORDERED that any alleged victim will be referred to either by
5 pseudonyms, whichever is agreed upon by counsel for the Government and the
6 Defendant. Counsel shall be consistent in their use of the identifier selected. The parties
7 shall prepare their witnesses and instruct them to refer to the alleged victims only by
8 using the agreed pseudonyms (e.g., "MINOR 1", "MINOR 2" etc.), rather than their
9 names, in opening statements and in closing arguments.
10

11
12 IT IS FURTHER ORDERED that all personal information relating to any victim
13 described above shall be precluded from public disclosure.

14 The Clerk shall enter this Order and furnish copies to counsel.

15
16 DATED July 26, 2024.



A handwritten signature in blue ink that reads "Thomas O. Rice". The signature is written in a cursive, flowing style.

THOMAS O. RICE
United States District Judge